

LISA BOHRER
7330 Stamplemills Rd-133
Richmond, Virginia 23228

Plaintiff,

v.

NPC Quality Burgers, Inc.
720 West 20th Street
Pittsburgh, KS 66762

D/B/A: Wendy's #6609
8715 Central Avenue
Capitol Heights, MD 20743

Serve On:
Resident Agent
The Corporation Company, Inc.
112 SW 7th Street, Suite 3C
Topeka, Kansas 66603

Defendant.

IN THE
CIRCUIT COURT
FOR
PRINCE GEORGE'S COUNTY

Case No.: *CAL 20-12067*

CLERK OF THE
CIRCUIT COURT
2020 MAY 18 AM 10:56
PR GEO CO MD #39

COMPLAINT

NOW COMES Lisa Bohrer, Plaintiff, by counsel, Steven H. Heisler, Esquire and the Law Offices of Steven H. Heisler, and sues NPC Quality Burgers, Inc. d/b/a Wendy's 6609, the Defendant, and states as follows:

JURISDICTION AND VENUE

1. Jurisdiction is proper in this Court pursuant to Maryland Code, Courts & Judicial Proceedings §6-103(b)(3), in that the accident occurred in Prince George's County in the State of Maryland.

2. Venue is proper in this Court pursuant to Maryland Code, Courts & Judicial Proceedings § 6-202(8), in that the accident involving all parties occurred in Prince George's County, Maryland.

3. Plaintiff, Lisa Bohrer is a resident of Richmond Virginia.

4. The Defendant, NPC Quality Burgers, Inc., d/b/a Wendy's #6609 is the owner and/or lessor/lessee of the property and/or premises where the accident described below occurred, and has offices and conducts business in Prince George's County, Maryland, wherein venue is asserted.

5. The incident herein described occurred at 8715 Central Avenue, Capital Heights, Maryland.

STATEMENT OF FACTS

6. Plaintiff hereby incorporates paragraphs 1 - 5 as though fully set forth herein.

7. On or about March 20, 2018 the Plaintiff was a business invitee at the NPC Quality Burgers, Inc., d/b/a Wendy's #6609 located at 8715 Central Avenue, Capital Heights, Maryland.

8. As the Plaintiff went to visit the restroom, she slipped on a liquid on the floor and fell to the ground.

COUNT I - NEGLIGENCE

9. Defendant NPC Quality Burgers, Inc., d/b/a Wendy's #6609 had a duty to maintain the premises in a reasonably safe condition for all business invitees.

10. Defendant NPC Quality Burgers, Inc., d/b/a Wendy's #6609 had a further duty to inspect the floors and premises to make certain that they were in good condition and did not present a danger to business invitees of the establishment.

11. Defendant NPC Quality Burgers, Inc., d/b/a Wendy's #6609, and its agents, servants

and/or employees were further negligent in that Defendant knew or should have known that the existing condition in a commonly traveled area would pose a risk of injury to the Plaintiff, as well as to other business invitees.

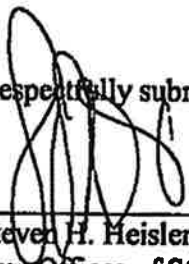
12. Defendant NPC Quality Burgers, Inc., d/b/a Wendy's #6609, and its agents, servants and/or employees, breached its duty to Plaintiff by: (a) failing to keep and maintain the premises in a safe and reasonable manner; (b) failing to prudently observe and identify the existing condition and the danger it may cause; (c) failing to post proper and legible notices, disclosures or disclaimers in the area adjacent to the site of the accident; and (d) being otherwise careless, negligent and reckless.

13. As a direct and proximate result of the negligence of Defendant NPC Quality Burgers, Inc., d/b/a Wendy's #6609, Plaintiff was caused to suffer serious, painful, disabling and permanent bodily injuries in and about the head, body and limbs, and has been caused and will be caused in the future to suffer great physical pain, mental anguish and injuries to her nerves and nervous system, and has been caused and will continue to incur great medical expenses for the care and treatment of her injuries and wounds; has been caused and will continue to be caused in the future to be precluded from engaging in and attending to her normal activities, duties and pursuits; and has been caused and will continue to be caused in the future to expend great sums of money for other expenses incidental to the damages arising out of the occurrence; and the Plaintiff was otherwise hurt, injured and damaged, now and in the future indeterminately.

14. Plaintiff further avers that none of her losses, damages or injuries are due to any contributory negligence on her part.

WHEREFORE, Plaintiff demands judgment against the Defendant, NPC Quality Burgers, Inc., d/b/a Wendy's #6609 in an amount in excess of SEVENTY-FIVE (\$75,000.00) DOLLARS in compensatory damages.

Respectfully submitted,



Steven H. Heisler, Esq./8812150283
Law Offices of Steven H. Heisler
1011 N. Calvert Street
Baltimore, Maryland 21202
(410) 625-4878
sheisler@injurylawyermd.com
Counsel for Plaintiff

LISA BOHRER
7330 Stamplemills Rd-133
Richmond, Virginia 23228

Plaintiff,

v.

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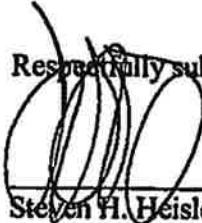
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* Case No.:

* * * * *

REQUEST FOR JURY TRIAL

The Plaintiff hereby requests that all issues in this matter be tried before a jury of her peers.

Respectfully submitted,


Steven H. Heisler, Esq./8812150283
Law Offices of Steven H. Heisler
1011 N. Calvert Street
Baltimore, Maryland 21202
(410) 625-4878
sheisler@injurylawyermd.com
Counsel for Plaintiff

IN THE CIRCUIT COURT FOR Prince George's County

(City or County)

CIVIL - NON-DOMESTIC CASE INFORMATION REPORT

DIRECTIONS

Plaintiff: This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

Defendant: You must file an Information Report as required by Rule 2-323(h).

THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING

FORM FILED BY: ☒ PLAINTIFF ☐ DEFENDANT CASE NUMBER

CASE NAME: Lisa Bohrer

Plaintiff

vs. NPC Quality Burgers, Inc, d/b/a Wendys

(Clerk to insert)

Defendant

PARTY'S NAME: Lisa Bohrer

PHONE: 804-386-3633

PARTY'S ADDRESS: 7330 Stamplemills Road-133, Richmond, Virginia 23228

PARTY'S E-MAIL:

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: Steven H. Heisler

PHONE: 410-625-4878

PARTY'S ATTORNEY'S ADDRESS: 1011 N. Calvert Street, Baltimore, Maryland 21202

PARTY'S ATTORNEY'S E-MAIL: sheisler@injurylawyermd.com

JURY DEMAND? ☒ Yes ☐ No

RELATED CASE PENDING? ☐ Yes ☒ No If yes, Case #(s), if known:

ANTICIPATED LENGTH OF TRIAL?: _____ hours _____ days

PLEADING TYPE

New Case: ☒ Original

☐ Administrative Appeal ☐ Appeal

Existing Case: ☐ Post-Judgment ☐ Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)

TORTS

- ☐ Asbestos
- ☐ Assault and Battery
- ☐ Business and Commercial
- ☐ Conspiracy
- ☐ Conversion
- ☐ Defamation
- ☐ False Arrest/Imprisonment
- ☐ Fraud
- ☐ Lead Paint - DOB of Youngest Plt: _____
- ☐ Loss of Consortium
- ☐ Malicious Prosecution
- ☐ Malpractice-Medical
- ☐ Malpractice-Professional
- ☐ Misrepresentation
- ☒ Motor Tort
- ☒ Negligence
- ☐ Nuisance
- ☐ Premises Liability
- ☐ Product Liability
- ☐ Specific Performance
- ☐ Toxic Tort
- ☐ Trespass
- ☐ Wrongful Death

CONTRACT

- ☐ Asbestos
- ☐ Breach
- ☐ Business and Commercial
- ☐ Confessed Judgment
- (Cont'd)
- ☐ Construction
- ☐ Debt
- ☐ Fraud

PROPERTY

- ☐ Government
- ☐ Insurance
- ☐ Product Liability
- ☐ Adverse Possession
- ☐ Breach of Lease
- ☐ Detinue
- ☐ Distress/Distrain
- ☐ Ejectment
- ☐ Forcible Entry/Detainer
- ☐ Foreclosure
- ☐ Commercial
- ☐ Residential
- ☐ Currency or Vehicle
- ☐ Deed of Trust
- ☐ Land Installments
- ☐ Lien
- ☐ Mortgage
- ☐ Right of Redemption
- ☐ Statement Condo
- ☐ Forfeiture of Property / Personal Item
- ☐ Fraudulent Conveyance
- ☐ Landlord-Tenant
- ☐ Lis Pendens
- ☐ Mechanic's Lien
- ☐ Ownership
- ☐ Partition/Sale in Lieu
- ☐ Quiet Title
- ☐ Rent Escrow
- ☐ Return of Seized Property
- ☐ Right of Redemption
- ☐ Tenant Holding Over

PUBLIC LAW

- ☐ Attorney Grievance
- ☐ Bond Forfeiture Remission
- ☐ Civil Rights
- ☐ County/Mncpl Code/Ord
- ☐ Election Law
- ☐ Eminent Domain/Condemn.
- ☐ Environment
- ☐ Error Coram Nobis
- ☐ Habeas Corpus
- ☐ Mandamus
- ☐ Prisoner Rights
- ☐ Public Info. Act Records
- ☐ Quarantine/Isolation
- ☐ Writ of Certiorari

EMPLOYMENT

- ☐ ADA
- ☐ Conspiracy
- ☐ EEO/HR
- ☐ FLSA
- ☐ FMLA
- ☐ Workers' Compensation
- ☐ Wrongful Termination

INDEPENDENT PROCEEDINGS

- ☐ Assumption of Jurisdiction
- ☐ Authorized Sale
- ☐ Attorney Appointment
- ☐ Body Attachment Issuance
- ☐ Commission Issuance

CONSTRUCTIVE TRUST

- ☐ Constructive Trust
- ☐ Contempt
- ☐ Deposition Notice
- ☐ Dist Ct Mtn Appeal
- ☐ Financial
- ☐ Grand Jury/Petit Jury
- ☐ Miscellaneous
- ☐ Perpetuate Testimony/Evidence
- ☐ Prod. of Documents Req.
- ☐ Receivership
- ☐ Sentence Transfer
- ☐ Set Aside Deed
- ☐ Special Adm. - Atty
- ☐ Subpoena Issue/Quash
- ☐ Trust Established
- ☐ Trustee Substitution/Removal
- ☐ Witness Appearance-Compel

PEACE ORDER

☐ Peace Order

EQUITY

- ☐ Declaratory Judgment
- ☐ Equitable Relief
- ☐ Injunctive Relief
- ☐ Mandamus

OTHER

- ☐ Accounting
- ☐ Friendly Suit
- ☐ Grantor in Possession
- ☐ Maryland Insurance Administration
- ☐ Miscellaneous
- ☐ Specific Transaction
- ☐ Structured Settlements

CLERK OF THE CIRCUIT COURT

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Abatement | <input type="checkbox"/> Earnings Withholding | <input type="checkbox"/> Judgment-Interest | <input type="checkbox"/> Return of Property |
| <input type="checkbox"/> Administrative Action | <input type="checkbox"/> Enrollment | <input type="checkbox"/> Judgment-Summary | <input type="checkbox"/> Sale of Property |
| <input type="checkbox"/> Appointment of Receiver | <input type="checkbox"/> Expungement | <input checked="" type="checkbox"/> Liability | <input type="checkbox"/> Specific Performance |
| <input type="checkbox"/> Arbitration | <input type="checkbox"/> Findings of Fact | <input type="checkbox"/> Oral Examination | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Asset Determination | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> Order | <input type="checkbox"/> Writ-Execution |
| <input type="checkbox"/> Attachment b/f Judgment | <input type="checkbox"/> Injunction | <input type="checkbox"/> Ownership of Property | <input type="checkbox"/> Writ-Garnish Property |
| <input type="checkbox"/> Cease & Desist Order | <input type="checkbox"/> Judgment-Affidavit | <input type="checkbox"/> Partition of Property | <input type="checkbox"/> Writ-Garnish Wages |
| <input type="checkbox"/> Condemn Bldg | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order | <input type="checkbox"/> Writ-Habeas Corpus |
| <input type="checkbox"/> Contempt | <input type="checkbox"/> Judgment-Confessed | <input type="checkbox"/> Possession | <input type="checkbox"/> Writ-Mandamus |
| <input checked="" type="checkbox"/> Court Costs/Fees | <input type="checkbox"/> Judgment-Consent | <input type="checkbox"/> Production of Records | <input type="checkbox"/> Writ-Possession |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Declaratory | <input type="checkbox"/> Quarantine/Isolation Order | |
| <input type="checkbox"/> Damages-Punitive | <input type="checkbox"/> Judgment-Default | <input type="checkbox"/> Reinstatement of Employment | |

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

☐ Liability is conceded. ☐ Liability is not conceded, but is not seriously in dispute. ☐ Liability is seriously in dispute.

MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)

- ☐ Under \$10,000 ☐ \$10,000 - \$30,000 ☒ \$30,000 - \$100,000 ☐ Over \$100,000

☒ Medical Bills \$ 12,000.00+ ☐ Wage Loss \$ _____ ☐ Property Damages \$ _____

ALTERNATIVE DISPUTE RESOLUTION INFORMATION

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

A. Mediation ☒ Yes ☐ No

C. Settlement Conference ☒ Yes ☐ No

B. Arbitration ☐ Yes ☒ No

D. Neutral Evaluation ☐ Yes ☒ No

SPECIAL REQUIREMENTS

- ☐ If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041
- ☐ If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

ESTIMATED LENGTH OF TRIAL

With the exception of Baltimore County and Baltimore City, please fill in the estimated **LENGTH OF TRIAL**.

(Case will be tracked accordingly)

☐ 1/2 day of trial or less

☐ 3 days of trial time

☒ 1 day of trial time

☐ More than 3 days of trial time

☐ 2 days of trial time

BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM

For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.

☐ Expedited- Trial within 7 months of Defendant's response

☐ Standard - Trial within 18 months of Defendant's response

EMERGENCY RELIEF REQUESTED

**COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE
MANAGEMENT PROGRAM (ASTAR)**

FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.

☐ Expedited - Trial within 7 months of Defendant's response

☐ Standard - Trial within 18 months of Defendant's response

IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.

CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)

- | | |
|--|---|
| <input type="checkbox"/> Expedited | Trial 60 to 120 days from notice. Non-jury matters. |
| <input type="checkbox"/> Civil-Short | Trial 210 days from first answer. |
| <input type="checkbox"/> Civil-Standard | Trial 360 days from first answer. |
| <input type="checkbox"/> Custom | Scheduling order entered by individual judge. |
| <input type="checkbox"/> Asbestos | Special scheduling order. |
| <input type="checkbox"/> Lead Paint | Fill in: Birth Date of youngest plaintiff _____ |
| <input type="checkbox"/> Tax Sale Foreclosures | Special scheduling order. |
| <input type="checkbox"/> Mortgage Foreclosures | No scheduling order. |

CIRCUIT COURT FOR BALTIMORE COUNTY

- | | |
|---|---|
| <input type="checkbox"/> Expedited
(Trial Date-90 days) | Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus. |
| <input type="checkbox"/> Standard
(Trial Date-240 days) | Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases. |
| <input type="checkbox"/> Extended Standard
(Trial Date-345 days) | Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency. |
| <input type="checkbox"/> Complex
(Trial Date-450 days) | Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases. |

05/15/20

Date

1011 N. Calvert Street

Address

Baltimore

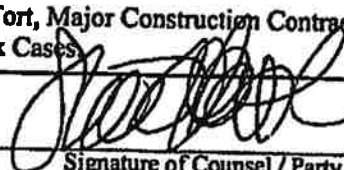
City

MD

State

21202

Zip Code



Signature of Counsel / Party

Steven H. Heisler, Esquire

Printed Name